UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
WOO, KUO-KONG

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/573,278	HIRADE, SEI
	Examiner	Art Unit	
	KUO WOO	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _11 June 2009_.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-13_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-13_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The information disclosure statement (IDS) submitted on 5/4/2009 and 6/10/2009

was filed after the mailing date of the non final rejection on 2/3/2009. The submission is

in compliance with the provisions of 37 CFR 1.97. Accordingly, the information

disclosure statement is being considered by the examiner.

Response to Amendment

2.   This action is response to the communication filed on June 11, 2009.

3.   Claims 13 has been amended, Claim 14 and 15 have been cancelled. Claims 1-

13 are pending in this action.

4.   Applicant has amended claim 13 in response to non-statutory subject matter 35

U.S.C. 101 rejections. Applicant's claim 13 is directed towards a **computer readable**

medium; however no guidance is given in the specification as to specifics of the

medium. The examiner interprets the meaning of the term to one of ordinary skill in the

art as applying only to statutory categories of invention. Accordingly, *35 USC § 101* the

rejection to the claim is withdrawn.

5.   Independent claims 1, 4, 7 and 10 contain long recitations and unimportant

details the scope of the claimed invention is rendered indefinite that metes and bounds of

claimed subject matter is not clearly identified.

6.   Applicant's arguments have been fully considered but they are not persuasive.

Claims 1-13 stay rejected.

Remarks

7.   Applicant argue ,Rejections under U.S.C. § 103 (Page 16) "none of the

reference, whether alone or in combination, discloses, teaches or suggests a method or

system for determining call priority based on the destination telephone number" primary

reference Hirade discloses basic concept of call handle and concept and second

reference DuPont discloses (Col. 2, Lines8, A problem with the standard prior art

approaches is that any given access scheme is applied to all units equally) and (Col. 2,

Lines 42 and 56, the invention is a system for controlling access through the use of

varying access probabilities for subscribers of **varying priority ...** As a result of this

contention-based prioritization scheme, an **expedited access is achieved by higher**

priority units, thus increasing the overall throughput). Refer to Figure 1, among

mobile units to priority which MS unit has higher priority is based on HLR which store

destination and caller telephone. (Col. 3. Lines 18, GSN 120 include all information

necessary for appropriate routing of data messages; it may alternatively be coupled to

MSC 125 to allow access to higher layer user information stored at a common platform

such as HLR 130), wherein in combination with DuPont and Hirade, teach same

invention as applicant.

8.   Applicant argue, "the random number generator generates a number N and

compared this to the priority call regulation value M1 and requests placement of the

call if N>M1". Reference Hirade clearly discloses in Figure1 (Prior art) ST4 **which**

Random number N is generated, and step ST 5 **N>M,** go to ST6 setup request or

position registration request as applicant's invention method.

9.   Applicant argue claim 4 ,Rejections under U.S.C. § 103 (Page 17) " the recited

mechanisms for measuring the number the numbers of calls placed to particular

telephone numbers, assembling a list of the telephone number receiving the highest

number of calls, disseminating the information regarding the telephone number

receiving the highest number of calls to the base unit by way of the exchanging center,

creating a call regulation value M3 for regulation transmission Destination telephone

number" Hirade teaches call regulation value , call setup request probability and the

traffic measurement". Referring to FIG. 2, (Col 3, Lines 48, as a traffic measurement

which is continuously monitored. If the traffic measurement **exceeds a preselected**

value, the **base station 2 transmits** to the first through the n-th mobile terminals 1-1

through 1-n a call regulation signal representative of a call regulation value M (%)) and

(Col.4. Lines 46, the traffic measuring section 21 receives the call setup signals

transmitted from the first through the n-th mobile terminals 1-1 through 1-n, **and**

counts the number of the call setup signals received in every predetermined

unit time interval as the traffic measurement which is continuously monitored),

wherein number of calls is counted and measured . Therefore BSC (switch center or

BS) has information of the highest number of calls to the base unit by way of the

exchanging center. Reference Chuah teaches (Referring Fig 12 B (**any access**

request success) step 1265, (add newly **successful remotes** to **schedulers list**)

step 1275, **(transmit downlink data packets)** step 1255. the combination of the

Chuah and Hirade of references does render claim 4 obvious.

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 1-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Hirade (US Patent number 6,411,814 B1) in view of Dupont (US Patent Number

5,729,542) and in further view of Chuah et al. (US Patent Number 6,594,240B1. Hence

this applicant and reference are naming Hirade, therefore reference name as "the

Hirade" to distinguish with this applicant Hirade.

Regarding claim 1, "A system for receiving a call having priority in a call

regulation, comprising a mobile terminal and a base station" the Hirade discloses (Col.

1, lines 8-9, system including a base station and a mobile station) and (Each mobile

terminal comprising call request unit, memory unit and call probability generating unit as

a random number generator); "base station comprising a traffic measurement unit and a

call regulation transmission unit" (col. 3, lines 45-50, base station comprising a traffic

measurement unit and call set up transmitted from the first through the n-th mobile

terminal); "traffic measurement unit measures communication traffic by receiving a call

request signal transmitted from said mobile terminal and counting the number of

received signals in a unit of given time period" (Col. 3, lines 48-52, time interval as a

traffic measurement which is continuously monitored. If the traffic measurement

exceeds a preselected 50 value, the base station 2 transmits to the first through the n-th

mobile terminals 1-1 through 1-n a call regulation signal representative of a call

regulation value M (%));"call request probability generation unit generates a call request

probability that is a random number N of a minimum value 1% to a maximum value

100%";However, the Hirade does not explicitly disclose "memory unit stores a

transmission destination telephone number having priority".

In an analogues art, Dupont discloses (Col. 2, lines 40-44, A presently preferred

embodiment of the invention is a system for controlling access through the use of

varying access probabilities for subscribers of varying priority); " call request unit obtains

a transmission destination telephone number which has been requested by a

subscriber, and receives a call regulation signal from said base station, and obtains a

call regulation value M1 for a transmission destination telephone number having priority

and a call regulation value M2 for other than a transmission destination telephone

number having priority (M1<M2) and acquires said call request probability N by

allowing said call request probability generation unit to operate, and reads said

transmission destination telephone number having priority from said memory unit of said

mobile terminal, thereby confirming whether or not said transmission destination

telephone number resides in said transmission destination telephone number having

priority, if said transmission destination telephone number exists in said transmission

destination telephone number having priority" Dupont discloses (Col. 4-5, lines 66-67

and 1-4, if more than two probability levels) to control the access attempts by different

priority classes of subscribers. Two particularly useful approaches for determining the

access values are the following proportional and temporal priority distribution

approaches); "said call request unit compares said call request probability N with said

call regulation value M1, and transmits a call request signal when said call request

probability N is larger than said call regulation value M1, and discards a call request

from a subscriber after outputting a call rejection message onto a display of said mobile

terminal when it is smaller, and conversely, if said transmission destination telephone

number does not exist in said transmission destination telephone number having

priority, said call request unit compares said call request probability N and said call

regulation value M2, and transmits a call request signal when said call request

probability N is larger than said call regulation value M2, and discards a call request

from a subscriber after outputting a call rejection message onto a display of said mobile

terminal when it is smaller. Dupont discloses (Col. 6, lines 12-24, Each MS then

determines whether to transmit during a current access period based on the received

access control vector. Where the vector includes access window values such as in FIG.

4, the values are preferably applied by first selecting the value applicable to priority

class of the subscriber or, if appropriate to the system, a queued packet or message. A

random number or the like is then preferably generated and applied to the selected

value to generate a delay value. The subscriber then counts this delay value number of

allowed burst periods (i.e., data time slots available for access) before transmitting its

access/reservation request; counting is suspended during periods when the MS is not

allowed access) and (col.6, lines 38-44 Alternative uses of a differentiating user-

generated value such as a random number will be apparent to a skilled artisan; e.g.,

instead of determining a window period, between 0 and 1 could be generated each

allowed burst period, with an access attempt being permitted if the number is greater

than the applicable probability value and otherwise inhibited), wherein various regulation

values, calling lists along with random generated number are utilized to determine each

calling process.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use the Hirade teaching in combination of Dupont

provides this contention-based prioritization, an expedited access is achieved by higher

priority units/traffic, thus increasing their throughput. (See Abstract). Rationales for

arriving at a conclusion of obviousness are combining prior art elements according to

known method to yield predictable result.

Regarding claim 2," said base station further comprising a time management

unit and a timer, wherein at an approach of the time for which a large number

of calls are expected, said time management unit transmits in advance through

said call regulation transmission unit a call regulation signal irrespective of

a measured value of communication traffic, and allows said timer to operate

after transmitting said call regulation signal, and after an elapse of a given time,

releases a call regulation by transmitting a call regulation signal carrying thereon a

specific pattern indicating regulation-free" the Hirade discloses (Col 5, lines 33-42,

When the last call end state 121 representing the squelch end by the squelch

interruption is memorized in the memory 12 together with the random minimum value

L(%)122 having a value (for example,50) corresponding to the squelch end, the timer

14 is started. In absence of another call set up request within a predetermined time

period (for example, 5 ,minutes),the last call end state 121 in the memory 12 is put into

a reset state and the value of the random minimum value L (%) is kept equal to

zero),wherein timer is part of overall control in the call setup process.

Regarding claim 3, the Hirade discloses call regulation in claim 1 ,however the

Hirade does not explicitly disclose " further comprising a host device, wherein said host

device is a device that recognizes and manages, if an earthquake or a large disaster

occurs, as to in which base station area such a disaster has occurred and whether it

has terminated, and that notifies a corresponding base station of disaster information

about occurrence and termination of a disaster by a disaster information signal, said

base station further comprising a disaster correspondence unit, wherein said disaster

correspondence unit receives a disaster information signal from said host device, and if

a disaster occurs, transmits a call regulation signal through said call regulation

transmission unit irrespective of a measured value of communication traffic, and if a

disaster has terminated, releases a call regulation by transmitting a call regulation signal

carrying a specific pattern indicating regulation-free".

In an analogous art, Chuah discloses (Col. 15, lines 24-29, one possible

implementations of access priority according to the invention is to reserve some logical

access channels such that only emergency users can access. In another scenario, a service provider can differentiate, according to the present invention, between different types of customers based on the service charges that they pay), wherein a nature that warrants immediate transmission, a different access priority is assigned.

. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hirade and DuPont's teaching in combination of Chuah provides access priority control in a communications system and, more particularly, to methods and apparatus for providing access priority control in a media access control protocol of a Universal Mobile Telecommunications System. (See Col. 1 lines 20-25, Field of the invention).

Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Applying a know technique to a known device ready for improvement to yield predictable results.

Regarding claim 4, "A system for receiving a call having priority in a call regulation, comprising a host device, a plurality of exchanging centers, a plurality of base stations under control of said exchanging centers, and a plurality of mobile terminals under control of said exchanging centers, the whole being connected to configure a network, wherein said host device is a device that manages telephone numbers including telephone numbers of a fixed network, allowing a memory unit of said host device to store in advance a specific transmission destination telephone number for which a large number of calls are expected beforehand, said exchanging centers have a traffic measurement unit, a call regulation transmission unit, a memory

unit, and a timer, said traffic measurement unit within said exchanging center measures

communication traffic by receiving a call request signal transmitted from said base

station and counting the number of received signals in a unit of given time period, and

registers a transmission destination telephone number along with the number of call

requests corresponding to said transmission destination telephone number within a

given number and in descending order of the number of call requests, on a list of said

memory unit within the exchanging center, said timer clears the list of said memory unit

within said switching center in given times, in the presence of a transmission destination

telephone number, the number of call requests for which is not less than a given value

on the list of said memory unit within said exchanging center, said call regulation

transmission unit within said exchanging center confirms whether or not said

transmission destination telephone number corresponds to said specific transmission

Destination telephone number rather than a transmission destination telephone

number having priority, by said specific transmission destination telephone number

registered in said memory unit of said host device, if it corresponds to said specific

transmission destination telephone number, the Hirade discloses (Abstract, Each

mobile terminal comprises a memory which memorizes whether or not a last call end

state is a squelch end and which memorizes, in case where the last call end state

memorized in the memory is the squelch end, a random minimum value greater than

that in case where the last call end state memorized in the memory is not the squelch

end, a probability generating section, and a call setup request section responsive to a

call setup request for detecting a call regulation value from a call regulation signal,

supplying the random minimum value memorized in the memory to the probability

generating section to make the probability generating section generate as a call setup

request probability one of a plurality of random numbers within a range between the

random minimum value and a random maximum value, and transmitting a call setup

signal to a base station in case where the call setup request probability is greater than

the call regulation value) and (Col. 2, lines 10-67 , Col. 3, line 40-65 and Col. 4, 20-

35,Mobile communication systems including a base station for transmitting regulation

signal representative of regulation value and a plurality of mobile terminals responsive

to the call regulation signal from base station; and memorizes random minimum value a

random minimum value having greater than in case where the last call end state

memorized in the memory is not squelch end; to make the probability generating section

generate call request probability; setup signals received in every predetermined unit

time interval as a traffic measurement exceeds a preselected value; Once the random

minimum value L(%) 122 is determined, each of the first through the n-th mobile

terminals 1-1 through 1-n activates the probability section 13 as a random number

generators in each of the through the n-th mobile terminals). However, the Hirade does

not explicitly disclose "call regulation transmission unit within said exchanging center

notifies a base station of a corresponding transmission destination telephone number by

affixing it, as a regulation transmission destination telephone number, to a signal

between a base station and an exchanging center and between an exchanging center

and an exchanging center, said call regulation transmission unit within said exchanging

center notifies a base station of a specific pattern indicating regulation-free if the

number of call requests for said regulation transmission destination telephone number

which has been notified to a base station is less than a given value on the list of said

memory unit of said exchanging center, said base stations comprising a traffic

measurement unit and a call regulation transmission unit, wherein said traffic

measurement unit within said base station measures communication traffic by receiving

a call request signal transmitted from said mobile terminal and counting the number of

received signals in given times, said call regulation transmission unit within said base

station transmits a call regulation signal to regulate a call if a measured value of

communication traffic is not less than a given value, and transmits a call regulation

signal by affixing it to a regulation transmission destination telephone number within a

call regulation signal if received said regulation transmission destination telephone

number from said exchanging center even if a measured value of communication traffic

is less than a given value, and releases a call regulation by transmitting a call regulation

signal carrying a specific pattern indicating regulation-free to said mobile terminal, if a

measured value of communication traffic is less than a given value, and if received from

said exchanging center a specific pattern indicating regulation-free of a regulation

transmission destination telephone number, said mobile terminal comprising a call

request unit, a memory unit, and a call request probability generation unit as a random

number generator, wherein said memory unit of said mobile terminal stores a

transmission destination telephone number having priority, said call request probability

generation unit generates a call request probability that is a random number N of a

minimum value 1% to a maximum value 100%, said call request unit acquires a

transmission destination telephone number which has been requested by a subscriber,

and receives a call regulation signal from said base station, and acquiring a call

regulation value M1 for a transmission destination telephone number having priority, a

call regulation value M2 for other than a transmission destination telephone number

Having priority and a regulation transmission destination telephone number, and

a call regulation value M3 for a regulation transmission destination telephone number

(M1<M2<M3), as well as a regulation transmission destination telephone number,

and acquires said call request probability N by allowing said call request probability

generation unit to operate, and reads said transmission destination telephone number

having priority from said memory unit of said mobile terminal, thereby confirming

whether or not said transmission destination telephone number resides in said

transmission destination telephone number having priority, said call request unit

compares said call request probability N and said call regulation value M1 if the

transmission destination telephone number resides in said transmission destination

telephone number having priority, and transmits a call request signal when said call

request probability N is larger than said call regulation value M1, and discards a call

request from a subscriber after outputting a call rejection message onto a display of said

mobile terminal when it is smaller, conversely, if said transmission destination telephone

number does not reside in said transmission destination telephone number having

priority, said call request unit confirms whether it resides in said regulation transmission

destination telephone number within said call regulation signal, and compares said call

request probability N and said call regulation value M2 if it does not reside, and

transmits a call request signal when said call request probability N is larger than said

call regulation value M2, and discards a call request from a subscriber after outputting a

call rejection message onto a display of said mobile terminal when it is smaller, and

conversely, if said transmission destination telephone number resides in said regulation

transmission destination telephone number, said call request unit compares said call

request probability N and said call regulation value M3, and transmits a call request

signal when said call request probability N is larger than said call regulation value M3,

and discards a call request from a subscriber after outputting a call rejection message

onto a display of said mobile terminal when it is smaller".

In an analogous art, Chuah discloses (Col. 7 lines 38-44, The base stations 6,

as is known, provide wide-area wireless coverage and multiplex remote terminal traffic

from their respective coverage area to their system mobile switching center, e.g.,

UMSC 16 in FIG. 1. The base stations also broadcast (down-link) packets that

are destined for one or more of the remote terminals in its cell) and (Col 5, lines 10-18,

In one aspect of the invention, RCDAP methods and apparatus are provided. In

RCDAP, each priority class is advantageously assigned a different chip delay from

among chip delay distributions prior to submitting an access request to the base-station.

Preferably, those classes with a higher priority are given a smaller average random chip

delay such that their access requests will have a higher probability of being captured

compared to those submitted by users with a lower priority class) and (Col. 13, lines 20-

29, In the access priority embodiment in FIG. 9, the remote terminal, in step 901,

receives and stores (in its memory) the following access priority system parameters

broadcast by the base station: M which is the number of logical access channels which exist between the remote terminal and the base station; probability $P.sub.i$ for each class i; and $K.sub.i$ which is the maximum number of transmission attempts associated with class I, where $P.sub.i = 1$ and $P.sub.i < P.sub.i+1$, $K.sub.0 = K.sub.max$ and $K.sub.i+1$, $< K.sub.i.$) and (Col 7, lines 4-16, Accordingly, software instructions or code associated with implementing the methodologies of the present invention may be stored in associated memory and, when ready to be utilized, retrieved and executed by an appropriate CPU. Also, the term "remote terminal" refers to any device capable of communications with a base station. For example, a remote terminal may be mobile (e.g., wireless phone or portable personal computer with a wireless modem) or fixed (e.g., fixed personal computer with a wireless modem). Also, the terms "base station" and "node_b," are used interchangeably Herein), wherein a subscriber after outputting a call rejection message onto Mobile terminal.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Hirade teaching in combination of Chuah provides access priority control in a media access control protocol of a Universal Mobile Telecommunications System. (See Col. 1 lines 22-24). Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Applying a know technique to a known device ready for improvement to yield predictable results.

Regarding claim 5, the Hirade teaches call regulation value and random generator. However, the Hirade does not explicitly disclose "specific transmission

destination telephone number for which a large number of calls are expected

beforehand is a ticket reservation destination telephone number"

In an analogous art, Chuah discloses (Col.3 lines 51-53, Reservation-based

protocols attempt to avoid and resolve collisions by dynamically reserving channel

bandwidth for users needing to send packets.) and (col. 16, lines 23-26, It may be

desirable to allow for an optional channel holding feature whereby each queue can

remain empty for a short while without the Access Point releasing the bandwidth

reservation. This allows high priority users to remain in the base station's reserved

bandwidth list for an allotted amount of time before it is released, encouraging low

latency of real-time packets (i.e. little or no delay, for packets of time-sensitive data such

as voice communications) by avoiding all the setup signaling messaging required for

channel reservation), wherein a large bandwidth or time slot will be reserved for special

event as ticket sale.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to use the Hirade teaching in combination of Chuah

provides access priority control in a media access control protocol of a Universal Mobile

Telecommunications System. (See Col. 1 lines 22-24). Rationales for arriving at a

conclusion of obviousness suggested by the Supreme Court's decision in KSR include:

Applying a know technique to a known device ready for improvement to yield

predictable results.

Regarding claim 6, the Hirade teaches call regulation value and random

generator. "Wherein said host device further comprises a time management unit and a

timer". However the Hirade does nor explicitly disclose " at an approach of the time for

which a large number of calls are expected beforehand, said time management unit

notifies in advance a base station of a regulation transmission destination telephone

number by affixing it to a signal between a base station and an exchanging center and

between an exchanging center and an exchanging center, irrespective of a measured

value of communication traffic, and after notifying a regulation transmission telephone

number, said time management unit allows said timer of said host device to operate,

and after an elapse of a given time, releases a call regulation by notifying a base station

of a specific pattern indicating regulation-free".

In an analogous art, Dupont discloses (Col. 3, lines 51-61, Based on the access

control parameters and its data message priority, MS access controller 212 determines

whether to send an access message/request (state 330) or back off (state 325), and

BS/BSC access controller 222 determines whether to allocate communications

resource(s) in response to such a request. After a time-out period and no response, MS

210 again retries access (state 335). Upon allocation, access controller 222 notifies

both MS 210 and data receiver controller 224 of the sub channel allocation, and the

data transmitter controller 214 and data receiver controller 224 commence transfer of

the data (state 340) and (Col. 3, lines 12-16, the portion of the GSM system servicing

voice/short messaging subscribers includes an MSC (mobile switching center) 125

connected to an HLR/AUC (home location register/authentication center) 130 and PSTN

(public switched telephone network) 150.), wherein switching centers have traffic

measurement and times to handle extra traffic.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Hirade teaching in combination of Dupont provides contention-based prioritization, an expedited access is achieved by higher Priority units/traffic, thus increasing their throughput. Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Applying a know technique to a known device ready for improvement to yield predictable results.

Regarding claims 7 and 13 are rejected, has limitations similar to those treated in the above rejection claim 1, and are met by the references as discussed above.

Regarding claim 8," is rejected, has limitations similar to those treated in the above rejection claim 6, and are met by the references as discussed above

Regarding claim 9," the Hirade discloses call regulation in claim 1 ,however the Hirade does not explicitly disclose " further comprising a host device, wherein said host device is a device that recognizes and manages, if an earthquake or a large disaster occurs, as to in which base station area such a disaster has occurred and whether it has terminated, and that notifies a corresponding base station of disaster information about occurrence and termination of a disaster by a disaster information signal, said base station further comprising a disaster correspondence unit, wherein said disaster correspondence unit receives a disaster information signal from said host device, and if a disaster occurs, transmits a call regulation signal through said call regulation transmission unit irrespective of a measured value of communication traffic, and if a

disaster has terminated, releases a call regulation by transmitting a call regulation signal carrying a specific pattern indicating regulation-free".

In an analogous art, Chuah discloses (Col. 15, lines 24-29, one possible implementations of access priority according to the invention is to reserve some logical access channels such that only emergency users can access. In another scenario, a service provider can differentiate, according to the present invention, between different types of customers based on the service charges that they pay), wherein a nature disaster has occurred that warrants immediate transmission, a different access priority is assigned.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use Hirade and DuPont's teaching in combination of Chuah provides access priority control in a communications system and, more particularly, to methods and apparatus for providing access priority control in a media access control protocol of a Universal Mobile Telecommunications System. (See Col. 1 lines 20-25, Field of the invention).

Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Applying a know technique to a known device ready for improvement to yield predictable results.

Regarding claim 10, is rejected, has limitations similar to those treated in the above rejection claim 4, and are met by the references as discussed above.

Regarding claim 11, the Hirade teaches call regulation value and random generator. However, the Hirade does not explicitly disclose "specific transmission

destination telephone number for which a large number of calls are expected beforehand is a ticket reservation destination telephone number".

In an analogous art, Chuah discloses (Col.3 lines 51-53, Reservation-based protocols attempt to avoid and resolve collisions by dynamically reserving channel bandwidth for users needing to send packets.) and (col. 16, lines 23-26, It may be desirable to allow for an optional channel holding feature whereby each queue can remain empty for a short while without the Access Point releasing the bandwidth reservation. This allows high priority users to remain in the base station's reserved bandwidth list for an allotted amount of time before it is released, encouraging low latency of real-time packets (i.e. little or no delay, for packets of time-sensitive data such as voice communications) by avoiding all the setup signaling messaging required for channel reservation), wherein a large bandwidth or time slot will be reserved for special event as ticket sale.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the Hirade teaching in combination of Chuah provides access priority control in a media access control protocol of a Universal Mobile Telecommunications System. (See Col. 1 lines 22-24). Rationales for arriving at a conclusion of obviousness suggested by the Supreme Court's decision in KSR include: Applying a know technique to a known device ready for improvement to yield predictable results.

Regarding claim 12, is rejected, has limitations similar to those treated in the above rejection claim 6, and are met by the references as discussed above.

Conclusion

12.   Applicant's amendment is rejected in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KUO WOO whose telephone number is (571)270-7266. The examiner can normally be reached on Monday through Friday 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

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800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KUO WOO/

Examiner, Art Unit 2617

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617